

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-1789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

**[PROPOSED] ORDER GRANTING TRUSTEE’S TWELFTH OMNIBUS MOTION TO  
DISALLOW CLAIMS AND OVERRULE OBJECTIONS OF CLAIMANTS  
WHO HAVE NO NET EQUITY**

Upon consideration of the motion (the “Motion”) [Docket No. \_\_\_], by Irving H. Picard, trustee (“Trustee”) for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) and the chapter 7 estate of Bernard L. Madoff (“Madoff”) (collectively, “Debtor”), in the above-captioned SIPA liquidation proceeding seeking to have the Court disallow any and all claims and overrule objections filed by or on behalf of customers that withdrew more money from BLMIS than they deposited and are thus, in the parlance of this case, net winners, or by customers that withdrew an equal amount to what was deposited or, in the parlance of this case, net zeros (collectively, the “Claimants”); and the Claims<sup>1</sup> to be disallowed and Objections to be overruled are identified in Exhibit A to the Declaration of

<sup>1</sup> All capitalized terms not defined herein shall have the meaning ascribed in the Motion.

Vineet Sehgal (the “Sehgal Declaration”), attached to the Motion as Exhibit A; and due and proper notice of the Motion having been given and it appearing that no other or further notice need be provided; and the Court having found and determined that the relief sought in the Motion as set forth herein is in the best interests of the Debtor, its estate, creditors, and all parties in interest; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the Motion is granted to the extent provided herein; and it is further

ORDERED that the Claims listed on Exhibit A hereto under the heading “Claims and Objections”, are disallowed and the Trustee’s Claims determinations are affirmed; and it is further

ORDERED that the Objections listed on Exhibit A hereto under the heading “Claims and Objections”, are overruled; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: \_\_\_\_\_, 2018  
New York, New York

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HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE

## IN RE: BLMIS. CASE NO: 08-01789 (SMB)

## TWELFTH OMNIBUS MOTION: EXHIBIT A – CLAIMS AND OBJECTIONS

Objection Party	Claim Number	Objection To Determination Docket Number	Counsel	Account Name	Account Number
Beatrice Zale Revocable Trust UAD 12/27/78	000718	662	Pro Se Filing	Beatrice Zale Revocable Trust UAD 12/27/78	1ZA255
Bernard Ouziel Declaration Of TST DTD 8/12/03	003089	925	Bernard Ouziel, Esq.	Bernard Ouziel Declaration Of TST DTD 8/12/03	1O0019
Brulene Associates INC.	011192	2243	Kramer Levin Naftalis & Frankel LLP	Brulene Associates INC	1B0273
Carla Szymanski Rev Trust Dated 11/25/97	013612	614	Phillips Nizer LLP	Carla Szymanski Rev Tst Dated 11/25/97	1ZB252
Dara Norman Simons	008608	689	Chaitman LLP	Dara Norman Simons	1ZB501
Eleanor S. Gold, Trustee U/A/D 08/08/90 C/O Murray Gold, Trustee	000343	2866	Berfield, Dematteo & Bernfeld, LLP	Eleanor S Gold As Trustee U/A/D 08/08/90	1G0268
Hannah P Norman Revocable Trust Dated 4/13/92	008594	690	Phillips Nizer LLP	Hannah P Norman Revocable Trust Dated 4/13/92	1ZA146
Henry R Bessell Trust U/D/T Dated 10/10/00	001497	566 604	Phillips Nizer LLP	Henry R Bessell Trust U/D/T Dated October 10, 2000	1ZB407
Herbert Silvera	004588	613	Phillips Nizer LLP	Herbert Silvera	1S0475
Jimmo LLC	003090	925	Bernard Ouziel, Esq.	Jimmo LLC	1J0061
Larry C Zale, Trustee For Arthur C Zale Trust B	000717	662	Pro Se Filing	Beatrice Zale And Larry C Zale CO-JTEES	1ZA188
Larry Zale & Isa Zale J/T WROS	000481	662	Pro Se Filing	Larry Zale & Isa Zale J/T WROS	1ZA265
NTC & CO. FBO Elaine Ruth Schaffer 21569	100140	578	Phillips Nizer LLP	NTC & CO. FBO Elaine Ruth Schaffer 21569	1ZR013
NTC & CO. FBO Elaine Ruth Schaffer 21569	009541	578	Phillips Nizer LLP	NTC & CO. FBO Elaine Ruth Schaffer 21569	1ZR013
NTC & CO. FBO Peter Moskowitz	003998	1030	Phillips Nizer LLP	Millennium Trust Company, LLC FBO Peter Moskowitz Dds 094151	1ZR135
NTC & CO. FBO Peter Moskowitz	004713	1030	Phillips Nizer LLP	Millennium Trust Company, LLC FBO Peter Moskowitz Dds 094151	1ZR135
Paul Barone And Peggyann Gerhard J/T WROS	014318	751	Pro Se Filing	Paul Barone And Peggyann Gerhard J/T WROS	1ZB439
Richard M Rosen	000009	1066	Chaitman LLP	Richard M Rosen	1ZB263
Robin J Silverstein Family Trust I	005880	597	Pro Se Filing	Robin J Silverstein Family Trust I	1ZB403
Robin L. Warner	000883	2030	Chaitman LLP	Robin L Warner	1ZA319
Robin L. Warner	100350	2030	Chaitman LLP	Robin L Warner	1ZA319
Robin L. Warner	100360	2030	Chaitman LLP	Robin L Warner	1ZA319

Objection Party	Claim Number	Objection To Determination Docket Number	Counsel	Account Name	Account Number
Robin L. Warner	100422	2030	Chaitman LLP	Robin L Warner	1ZA319
William I Bader	011793	678	Phillips Nizer LLP	William I Bader	1ZB319